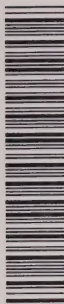


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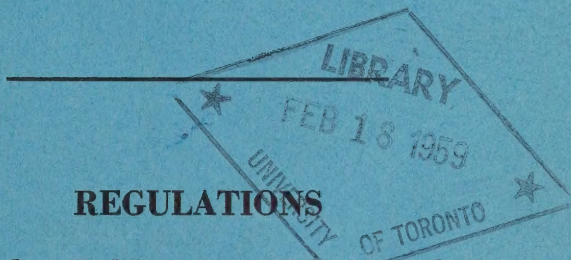
[6-2] **TARIFF CIRCULAR 2**

Cancels

Passenger Rules in Circular 223

REGULATIONS

**Governing the Publication, Filing and Posting
of Passenger Tariffs by Railway Companies**



Prescribed by General Order 834, dated September 30, 1958,
of the Board of Transport Commissioners for Canada.

EFFECTIVE JANUARY 1, 1959

ADDITIONAL COPIES

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BOARD OF TRANSPORT COMMISSIONERS FOR CANADA

TARIFF CIRCULAR 2

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**Prescribed by General Order 834, dated September 30, 1958,
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EFFECTIVE JANUARY 1, 1959

GENERAL ORDER NO. 834

TUESDAY, The 30th day of
SEPTEMBER, A.D. 1958

C. D. SHEPARD, Q.C.,
Chief Commissioner.

HUGH WARDROPE, Q.C.,
Asst. Chief Commissioner.

A. SYLVESTRE, Q.C.,
Deputy Chief Commissioner.

F. M. MACPHERSON,
Commissioner.

H. B. CHASE, C.B.E.,
Commissioner.

L. J. KNOWLES,
Commissioner.

IN THE MATTER OF regulations
governing the publication, filing and
posting of passenger tariffs by rail-
way companies: File No. 606

IT IS HEREBY ORDERED AS FOLLOWS:

1. The regulations attached hereto as Tariff Circular 2, entitled "Regulations Governing the Publication, Filing and Posting of Passenger Tariffs by Railway Companies" are prescribed for the use of railway companies and authorized agents thereof, who are required to file passenger tariffs with the Board.


2. Circular 223 as approved by General Order No. 479, dated June 28, 1929, and General Order No. 26, dated February 8, 1909; General Order No. 575, dated July 14, 1938; and Circular 273, dated September 11, 1952, insofar as the said Circular is applicable to passenger tariffs are rescinded.

3. This General Order shall come into force on the date shown on the said Circular.

(Sgd) C. D. SHEPARD,
Chief Commissioner,
The Board of Transport Commissioners for Canada.

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RULE 1—GENERAL PROVISIONS

(1) **Application of regulations.** The following regulations are prescribed under authority of Sections 326, 327 and all other relevant provisions of the Railway Act. On and after January 1, 1959, all tariffs filed with the Board publishing fares, charges, rules or regulations for the transportation and accommodation of passenger traffic shall conform to these regulations. Unless the context requires, words expressed in these regulations in the singular include the plural and vice versa.

(2) **Reference to regulations.** The arrangement of these regulations is by rule number, paragraph and sub-paragraph. When referring thereto, the reference to be quoted is, for example, "Rule 4 (2)" or "Rule 10 (1) (d)".

(3) **Tariff includes amendments.** Unless the context indicates the contrary, the word "tariff" as used herein also includes supplements and other amendments to tariffs.

(4) **Definitions.** In these regulations, except where the context indicates the contrary, the following terms mean:

(a) "Basing Fare"—A sum used in the construction of through fares from or to stations where no through selling fares are published in tariffs currently in effect.

(b) "Local Fare"—A fare applying over the line of only one carrier.

(c) "Local Tariff"—A tariff applying between points on the line of one carrier.

(d) "Joint Fare"—A fare that extends over the lines of two or more carriers.

(e) "Joint Tariff"—A tariff applying between points on the lines of two or more carriers.

(f) "Special Tariff"—A tariff containing tolls lower than in the Standard Tariff.

(g) "Standard Tariff"—A tariff containing maximum mileage tolls issued pursuant to Sections 338 and 339 of the Railway Act.

(h) "Tariff"—Any publication containing tolls, rules, regulations or any complementary publication affecting the tolls to be charged by a carrier.

(i) "Through Fare"—The total fare from origin to destination. It may be a local fare, a joint fare, or a combination of separately published fares.

(j) "Toll"—Any toll, fare, rate, charge or allowance made by a carrier in respect of the carriage of and accommodation for traffic, or in respect to any service incidental to the business of a carrier.

RULE 2—CONSTRUCTION OF TARIFFS

(1) **Form and size.** Tariffs shall be in book, pamphlet, single-sheet or loose-leaf form, of uniform size, eight inches wide by eleven inches long, except tariffs intended for use in collecting passenger fares and charges on trains may be of smaller size. Carbon copies or indistinct matter will not be accepted for filing.

(2) **Alterations or erasures.** Alterations or erasures in the original text are not permitted in tariffs filed with the Board or in those posted for public inspection.

(3) **Tolls of like kind in one tariff.** Carriers and agents should refrain from issuing a variety of separate tariffs when the subject matter thereof can be grouped conveniently into tariffs of general application.

(4) **Numbering of tariffs.** Each tariff shall be numbered consecutively with the prefix 'CTC' and each issuing carrier, agent, corporation or association, shall number tariffs in its own CTC series. (See Rule 17(3) for separate numerical series for Excursion Tariffs).

(5) **Numbering of pages.** The pages of tariffs, except loose-leaf tariffs, shall be numbered with Arabic numerals commencing with 2 for the first inside page on which printed matter appears.

RULE 3—TITLE PAGE OF TARIFFS

The title page of every tariff shall show in the order named:—

(1) **CTC number and cancellation reference.** The CTC number of tariff in the upper right corner and immediately thereunder the CTC number of tariff cancelled thereby. If it is impracticable to show the cancelled numbers in such manner, they may be shown within the tariff and reference thereto placed on the title page in lieu of the cancelled numbers.

(2) **Name of carrier or publishing authority.** The name of the issuing carrier, agent, corporation or association.

(3) **Initial and participating carriers.** The names of other initial carriers and also participating carriers. If such carriers are too numerous to place conveniently on the title page, they may be shown within the tariff and reference made on the title page where they may be found. On joint tariffs applicable from Canada to the United States, it is sufficient to show the names of the Canadian participating carriers and directly thereunder the words: "And Connecting Lines in the United States".

(4) **Kind of tariff.** All tariffs shall be designated as Special Passenger Tariffs, except the tariffs of maximum mileage tolls which shall be designated Standard Passenger Tariffs. Additional designations should indicate whether tariff contains local or joint fares, charges or regulations; and whether fares are one-way, round-trip or basing, in order to disclose concisely the nature of the traffic or service.

(5) **Territory.** The points or territory from and to which the tariff applies in sufficient detail to adequately disclose the scope of the tariff.

(6) **Issued and effective dates.** The date of issue on left side and date effective on right side. Where more than one effective date is involved, the notation "Except as otherwise provided herein", shall appear immediately below the effective date.

(7) **Expiration date.** Where the tariff expires with a given date, such date shall be prominently shown in expiration notice reading "Expires with unless sooner cancelled, changed or extended".

(8) **Order, Judgment or Special Permission Number.** Reference to Order, Judgment or Special Permission of the Board pursuant to which tariff is issued.

(9) **Issuing officer or agent.** Name, title and address of officer of the issuing carrier responsible for the compilation and filing of the tariff. If the tariff is issued by a natural person as agent, his name and address shall be shown with the title of "Agent". If issued by a corporation or association as agent, the name and title of the person responsible for the compilation and filing of the tariff shall be shown.

RULE 4—CONTENTS OF TARIFFS

(1) **Table of Contents.** An alphabetical index of the location where information under general subject headings will be found. If a tariff contains so small a volume of matter that its title page or its interior arrangement plainly discloses its contents, the table of contents may be omitted.

(2) **Initial or participating carriers.** An alphabetical list of the corporate names of the initial carriers for and on behalf of whom the issuing carrier, agent, corporation or association acts by power of attorney. Also an alphabetical list of the corporate names of carriers participating in the tariff under appropriate concurrence.

(3) **Index of stations.** An alphabetical index of stations from and to which fares or charges apply, showing province, with reference to the location in the tariff of the fares or charges from or to such stations. If throughout the tariff stations of origin or destination are shown alphabetically, the index of stations may be omitted.

(4) **Rules governing tariff.** Rules and other governing provisions, with the title or subject of each in distinctive type, stated in explicit terms so as to leave no doubt as to their application to the fares or charges named in the tariff. Where a tariff is governed by rules published in another tariff, reference to such other tariff by CTC number shall be shown therein.

(5) **Fares or charges.** An explicit statement of the fares or charges in cents, or in dollars and cents per passenger or other unit arranged in a systematic manner, except that tariffs naming fares for excursions may state such fares in terms related to specific fares.

(6) **Routing.** The routes over which fares or charges apply, showing the names of the carriers and junction points, or reference in the tariff where such information may be obtained. (See Rule 16).

(7) **Reference marks and abbreviations.** An explanation of the reference marks and abbreviations used in the tariff, except that commonly used abbreviations of Province and State names may be omitted. The abbreviations of the names of initial or participating carriers may be explained in the list of such carriers provided a statement to that effect is included under the "Explanation of Abbreviations". Reference to where the explanation of reference marks or abbreviations is given shall be shown on all pages of the tariff where reference marks or abbreviations are used. If there be only a limited number of reference marks or abbreviations, the explanation may be shown on the page on which they appear.

RULE 5—SUPPLEMENTS

(1) **Governed by same regulations as tariffs.** Changes in, or additions to, a tariff shall be known as amendments and, except loose-leaf tariffs and tariffs of less than two pages, may be published in a supplement to the tariff. Such supplements shall, except as otherwise provided, be governed by the same regulations as are applicable to tariffs.

(2) **Number of effective supplements.** Except as authorized in Rules 13 (2); 22(4); 24(4); and 28(5), not more than two supplements may be in effect at any one time.

(3) **Numbering and cancellation of supplements.** Supplements shall be numbered consecutively. Each supplement shall specify on its title page the cancellation of prior supplements and shall state the supplements that contain all changes.

(4) **Supplements to identify amendments.** The matter contained in each supplement shall be arranged in the same general manner and order as in the tariff. Supplements shall identify the exact portion of the tariff being amended by reference to the page, item or rule number.

(5) **Reissued matter.** Supplements which consolidate reissued matter from prior supplements shall bear the notation on the title page, "Effective (date) except as otherwise provided herein", and the reissued matter therein shall be designated by a reference mark in the form of a square or circle enclosing a number, or a number in brackets, the number corresponding to the number of the supplement in which the reissued matter first appeared. Example: (4) Reissue, effective January 30, 1957, in Supplement 4.

RULE 6—LOOSE-LEAF TARIFFS

(1) **Construction same as bound tariffs.** Except as provided in this rule, the compilation of loose-leaf tariffs shall be in similar manner to bound tariffs.

(2) **Title page.** The title page shall be designated in the upper left corner as "Original Title Page", and shall be printed on one side of the leaf only. When a revised title page is issued, the following notation shall be shown in connection with the effective date, "Original tariff effective (date)".

(3) **Pages following title page.** Each page following the title page shall be consecutively numbered as "Original Page 1", "Original Page 2", etc., and may be printed on both sides of the leaf, except as provided in paragraph (7). Each page shall show at the top the name of the issuing carrier, agent, corporation or association, and also the CTC number of the tariff. Each page shall also show the date of issue, the effective date and the name, title and address of the individual responsible for the issuance of the tariff.

(4) **Amendments by revised pages.** Amendments shall be made by re-printing the page and such amended page shall be designated as a revised page cancelling the page which it replaces; for example, "1st Revised Page 1 cancels Original Page 1", or "9th Revised Page 40 cancels 8th Revised Page 40". If the leaf is printed on both sides both pages shall be reissued and each designated as a revised page. If a page is reissued without amendment the notation "No change on this page" shall appear at the top of the page.

(5) **Additional pages.** When additional pages are required in order to accommodate expanded tariff matter, such pages shall be given the same number as the page they follow with a letter suffix; for example, "Original Page 6-A", "Original Page 6-B", etc. When additional pages beyond the original page series of the tariff are required to be added, such additional pages shall be consecutively numbered in continuation of the existing page series of the tariff and designated "Original Page.....", etc.

(6) **Transfer from one page to another.** When necessary to transfer matter from one page to another due to expansion of tariff matter, revision shall be made to the page formerly containing the transferred matter by giving reference to the new page where the tariff matter will in future be found. The new page shall likewise show reference to the page where the tariff matter formerly appeared. Subsequent revisions of these pages need not carry forward these continuity references.

(7) **Check sheet.** A check sheet shall be included in each loose-leaf tariff containing a numerical list of all the current pages of the tariff and shall be printed on one side of the leaf only. When revisions to the tariff are posted and filed, such pages must be accompanied by a revised check sheet showing the current effective pages.

(8) **No supplement except for specific purposes.** Supplements shall not be issued to loose-leaf tariffs except for the purpose of cancelling the tariff, or for the purpose of changing all, or substantially all, of the fares or charges contained therein.

(9) **Cancellation of supplements.** When all changes made by a supplement have been incorporated in the tariff proper by revision of the appropriate pages, the supplement shall be cancelled. Such cancellation shall be made by the reissue of the check sheet page and adding in the upper right corner immediately following the words "cancels.....revised page 1", the words "also cancels Supplement.....".

RULE 7—FILING

(1) **Period of notice.** Tariffs shall be filed with the Board at least three days before the date they are to become effective, except the following, which may be filed with the Board on not less than one day's notice.

- Excursion tariffs. (Rule 17)
- Circus and show outfit tariffs. (Rule 18)
- Workmen's train service tariffs. (Rule 19)
- Tariffs containing fares account newly constructed rail lines. (Rule 20)
- Supplements announcing the restoration and discontinuance of service. (Rule 22)
- Supplements vacating an order of suspension or cancelling suspended matter. (Rule 28)

(2) **Commencement of period of notice.** The act of mailing does not constitute filing. The period of notice commences from the date of receipt of the tariff by the Board.

(3) **CTC numbers to be consecutive.** Tariffs shall be filed in consecutive order. If for any reason this is not done, the tariff which is filed with a CTC number that is not consecutive, shall be accompanied by an explanation of the omission.

(4) **Number of copies to be filed.** One copy of each tariff shall be filed with the Board, except the Official Distance Table and Tariff Index, which shall be filed in duplicate.

(5) **Filing Advice.** Tariffs shall be accompanied by filing advices, consecutively numbered, approximately 8 x 10 inches in size, in form substantially as follows:

(Name of carrier, agent, corporation or association)
Address
Date

FILING ADVICE

Director,
Traffic Department,
Board of Transport Commissioners for Canada,
Ottawa, Ont.

In compliance with the requirements of the Railway Act, I transmit herewith, for filing with the Board, copies of passenger tariffs as follows:

Supplement Number	CTC Tariff Number	Effective Date	Description

Name
Title

The original filing advice will be retained. If an acknowledgment is required a duplicate filing advice must be submitted which will be stamped with date of receipt and returned to the sender.

(6) **Mailing address.** Tariffs and filing advices shall be addressed to the Director, Traffic Department, Board of Transport Commissioners for Canada, Ottawa, Ont., with the envelope marked as containing "Tariffs".

RULE 8—POSTING OF TARIFFS

(1) **Posting of tariffs, general.** Carriers subject to the jurisdiction of the Board are required by Section 340 of the Railway Act to keep passenger tariffs on file and open for inspection of the public during office hours at every station where passengers are received for carriage.

(2) **Posting at stations.** Carriers shall post at its stations all passenger tariffs applicable from or at such stations.

(3) **Posting at regional offices and headquarters.** Carriers shall post at the principal regional offices and at its headquarters a complete set of all passenger tariffs which it issues or to which it is a party.

(4) **Posting to be concurrent with filing.** Tariffs for posting shall be forwarded to stations and offices concurrently with the forwarding of the tariffs to the Board for filing.

(5) **Public notice.** A notice in large type shall be posted up in a prominent place at each station or office directing public attention to the place in such station or office where tariffs are on file.

RULE 9—BY-LAW AUTHORIZING ISSUANCE OF TARIFFS

(1) **By-laws to be submitted for approval.** By-laws or resolutions authorizing officers of the carriers to prepare and issue tariffs of tolls, concurrences or powers of attorney, shall be submitted to the Board for approval. Such by-laws or resolutions shall be submitted in the form and under the certification as follows:

I, (*name and title of officer*)...., of (*name of company*)...., do hereby certify that the following is a true copy of a by-law (or resolution) dated adopted by the Board of Directors of the said (*name of company*).... at a meeting held at the office of the company in (*place*)..... on (*date*)....., at which a quorum was present and voted,

The .. (*title of officer*).. of the company is hereby authorized by this by-law (or resolution) to prepare and issue tariffs of the tolls to be charged by the company, concurrences or powers of attorney, and to submit same to, and file same with, the Board of Transport Commissioners for Canada as required by the Railway Act.

In witness whereof, I hereunto affix my hand and seal of the company this day of 19

Name

Title

(Seal)

(2) **Passenger and freight tariffs in same by-law.** Passenger and freight tariffs may be included in the same by-law or resolution.

RULE 10—POWERS OF ATTORNEY

(1) Appointing a person as agent.

(a) If a carrier desires to issue tariffs through an agent it may do so by filing with the Board a power of attorney signed on its behalf by the officer appointed by By-law as set out in Rule 9. Such document shall be attested by the Secretary of the company and bear the imprint of its corporate seal. The following form, approximately 8 x 10 inches in size, shall be used for an originating carrier to appoint a person as attorney or agent to file tariffs other than standard passenger tariffs, and receive concurrences for it in its stead. Such authorization shall also appoint an alternate agent to act in the event of the death or disability of the principal agent.

(Corporate Name of Carrier)

Address

Date

CTC PA P—

KNOW ALL MEN BY THESE PRESENTS:

That the....(*corporate name of carrier*)....has made, constituted and appointed, and by these presents does make, constitute and appoint....(*name of principal agent*)....its true and lawful attorney and agent for the said company, and in its name, place, and stead, to receive concurrences in and to file passenger tariffs, as required of common carriers by the Railway Act and by regulations established by the Board of Transport Commissioners for Canada thereunder, for the traffic and territory now herein named,

(describe traffic and territory)

until superseded or revoked in accordance with the regulations of the Board of Transport Commissioners for Canada.

And the said....(*corporate name of carrier*)....does hereby give and grant unto its said attorney and agent full power and authority to do and perform all and every act and thing above specified as fully, to all intents and purposes, as if the same were done and performed by the said company, hereby ratifying and confirming all that its said attorney and agent may lawfully do by virtue hereof, and assuming full responsibility for the acts and neglects of its said attorney and agent hereunder.

AND FURTHER, that the....(*corporate name of carrier*)....has made, constituted and appointed and by these presents does make, constitute and appoint as alternate....(*name of alternate agent*)....its true and lawful attorney and agent for said company and in its name, place, and stead, in case and only in case of the death or disability of the said....(*name of principal agent*)....to do and perform the same acts and exercise the same authority as hereinabove granted to....(*name of principal agent*)....

IN WITNESS WHEREOF the said company has caused these presents to be signed in its name by its....(*title of officer*)....and to be duly attested under its corporate seal by its secretary, at.... in the Province (or State) of, on this day of in the year of our Lord, Nineteen Hundred and

Name

Title

Attest:

Secretary
(Corporate Seal)

Duplicate mailed to:

(b) *Resignation or absence of principal agent.* The term 'disability' as used in the above instrument means the resignation, permanent transfer to other duties, or other permanent absence of the principal agent.

(c) *Sworn statement of alternate agent.* On or before the date of filing of the first tariff by an alternate agent, such alternate agent shall notify the Board by sworn statement the reason for the exercise of authority.

(d) *Notice of alternate agent.* In the first amendment to each tariff issued by the alternate agent subsequent to the death or disability of the principal agent, there shall be shown therein a notice reading substantially as follows: "On and after(*date principal agent ceased to act*)....., this tariff shall be considered as the issue of, Alternate Agent".

(e) *Alternate succeeds principal agent.* After an alternate agent has once exercised the authority granted by the power of attorney, the principal agent may not thereafter act under that document.

(f) *New powers of attorney to be filed.* The death or disability of either the principal or alternate agent necessitates the execution of new powers of attorney, cancelling the effective documents, and naming the principal and alternate agents thereafter to serve. Such new powers of attorney shall be secured by the new principal agent and all forwarded by him to the Board for filing at one time. Such powers of attorney will become effective on date received by the Board.

(g) *Notice by new principal agent.* A new agent, on or after the filing on his authorities, shall include in the next amendment to each of the effective tariffs a notice reading substantially as follows: "On and after (*date new powers of attorney filed with Board*).... this tariff shall be considered as the issue of, Agent".

(h) *Numbering of tariffs in CTC series.* Tariffs issued by the new principal agent shall be numbered in the same CTC series as those of the former agent.

(2) **Appointing a corporation or an association as agent.** If a carrier desires to issue tariffs through a corporation or an association it may do so by filing with the Board a power of attorney signed on its behalf by the officer appointed by By-law as set out in Rule 9. Such document shall be attested by the secretary of the company and bear the imprint of its corporate seal. The

following form, approximately 8 x 10 inches in size, shall be used for an originating carrier to appoint a corporation or an association as attorney or agent to file tariffs, other than standard passenger tariffs, and receive concurrences for it in its stead.

(Corporate Name of Carrier)

Address

Date

CTC PA P—

KNOW ALL MEN BY THESE PRESENTS:

That the(*corporate name of carrier*).... has made, constituted and appointed, and by these presents does make, constitute and appoint(*name of corporation or association*)...., its true and lawful attorney and agent for the said company, and in its name, place, and stead, to receive concurrences in and to file passenger tariffs, as required of common carriers by the Railway Act and by regulations established by the Board of Transport Commissioners for Canada thereunder, for the traffic and territory now herein named,

(describe traffic and territory)

until superseded or revoked in accordance with the regulations of the Board of Transport Commissioners for Canada.

And the said(*corporate name of carrier*).... does hereby give and grant unto its said attorney and agent full power and authority to do and perform all and every act and thing above specified as fully, to all intents and purposes, as if the same were done and performed by the said company, hereby ratifying and confirming all that its said attorney and agent may lawfully do by virtue hereof, and assuming full responsibility for the acts and neglects of its said attorney and agent hereunder.

IN WITNESS WHEREOF the said company has caused these presents to be signed in its name by its(*title of officer*).... and to be duly attested under its corporate seal by its secretary, at in the Province (or State) of, on this day of in the year of our Lord, Nineteen Hundred and

Name

Title

Attest:

Secretary

(Corporate Seal)

Duplicate mailed to:

(3) **Appointing another carrier or parent company as agent.** A power of attorney may be given by an originating carrier to another carrier with which it connects, or by a subsidiary to a parent company, to publish tariffs, other than standard passenger tariffs, and to give powers of attorney to agents

all in behalf of the said originating or subsidiary carrier. The following form, approximately 8 x 10 inches in size, shall be used for the said purpose.

(Corporate Name of Carrier)

Address

Date

CTC PA P—

KNOW ALL MEN BY THESE PRESENTS:

That the (*corporate name of carrier*).... has made, constituted and appointed, and by these presents does make, constitute and appoint (*name of carrier appointed agent*).... its true and lawful attorney and agent for the said company, and in its name, place and stead, to file on its behalf, as required by the Railway Act and by regulations established by the Board of Transport Commissioners for Canada thereunder, joint passenger tariffs applying FROM points on its line of railway TO or VIA the line of railway hereby appointed as agent, except

(If desired to limit the scope of the authority to exclude certain tariffs or territory, insert such limitation here, or if preferred, the authority may be stated specifically in the body hereof. If not limited, delete the word 'except')

And the said (*corporate name of carrier*).... does hereby give and grant unto its said attorney and agent, full power and authority to do and perform all and every act and thing above specified as fully, to all intents and purposes, as if the same were done and performed by the said company, hereby ratifying and confirming all that its said attorney and agent may lawfully do by virtue hereof, and assuming full responsibility for the acts and neglects of its said attorney and agent hereunder.

IN WITNESS WHEREOF the said company has caused these presents to be signed in its name by its (*title of officer*) and to be duly attested under its corporate seal by its secretary, at in the Province (or State) of on this day of in the year of our Lord Nineteen Hundred and

Name

Title

Attest:

Secretary
(Corporate Seal)

Duplicate Mailed to:

(4) **Numbering of powers of attorney.** Powers of attorney of each issuing carrier may be numbered consecutively with prefix "CTC. PA P".

(5) **Powers of attorney of United States carriers.** Powers of attorney of United States carriers in favour of agents, carriers, corporations or associations in the United States are not required to be filed with the Board.

(6) **Filing of powers of attorney.** Powers of attorney are to be forwarded to the Board for filing addressed to "Director, Traffic Department, Board of Transport Commissioners for Canada, Ottawa, Ont." The document must bear a notation that the duplicate thereof has been forwarded to the agent, corporation, association or carrier appointed. If an acknowledgement is required from the Board, an additional copy of the power of attorney shall be submitted for that purpose, which will be stamped with date of receipt and returned to the issuing carrier.

(7) **Revocation of powers of attorney.** A power of attorney may be cancelled either by substituting a new document specifically cancelling the effective document, or by formal notice of revocation. Such substitution or revocation shall be forwarded to reach the Board at least sixty days before coming into effect, and a copy thereof served upon the agent, corporation, association or carrier concerned. The following form, approximately 8 x 10 inches in size, shall be used for the purpose of revoking powers of attorney.

(Corporate Name of Carrier)
Address
Date
Revocation of CTC PA P—

KNOW ALL MEN BY THESE PRESENTS:

Effective, power of attorney as numbered above, issued by (*name of carrier issuing power of attorney*) in favour of (*name of agent, corporation, association or carrier in whose favour power of attorney was executed*) is hereby cancelled and revoked.

Name
Title

Attest:
Secretary
(Corporate Seal)
Duplicate mailed to:

(8) **Revision of tariffs when authority revoked.** When a power of attorney is revoked, corresponding revision of the tariffs shall be made not later than the effective date stated in the notice of revocation. If the tariffs are not so amended the fares or other provisions therein remain in effect and must be protected by the carrier responsible for their continued maintenance.

RULE 11—CONCURRENCES

(1) **Concurrence of intermediate and terminating carriers.** Intermediate and terminating carriers in Canada, participating in joint tariffs applying between points in Canada shall notify the Board of their assent to, and concurrence in, such joint tariffs by filing with the Board one of the three following documents.

(a) *General concurrence.* The following form is unlimited in its concurrence and applies to all passenger tariffs applying to or via points on the line of the carrier giving the concurrence.

(Corporate Name of Concurring Carrier)

Address

Date

CTC GC P—

Board of Transport Commissioners for Canada,
Ottawa, Ont.

This is to certify that ... (*name of concurring carrier*) ... assents to, and concurs in, all joint tariffs and amendments thereto that may hereafter be published and filed by (*name of carrier, agent, corporation or association issuing tariffs*) in which this company is named as a participant, insofar as such tariffs contain fares, charges or regulations applicable to or via (not from) this company's points, and hereby makes itself a party thereto and bound thereby.

Name

Title

Duplicate mailed to:

(b) *Limited concurrence.* The following form is limited in its concurrence applying on limited specified traffic moving to or via points on the line of the carrier giving the concurrence.

(Corporate Name of Concurring Carrier)

Address

Date

CTC LC P—

Board of Transport Commissioners for Canada,
Ottawa, Ont.

This is to certify that the (*name of concurring carrier*) assents to, and concurs in, joint tariffs and amendments thereto that may hereafter be published and filed by (*name of carrier, agent, corporation or association issuing tariffs*) in which this company is named as a participant insofar as such tariffs contain fares, charges or regulations applicable to or via (not from) this company's points, except

(State the extent of the exception)

and hereby makes itself a party thereto and bound thereby.

Name

Title

Duplicate mailed to:

(c) *Specific concurrence.* The following form is specific in its concurrence and applies to a specifically named passenger tariff applying to or via points on the line of the carrier giving the concurrence. It may not refer to more than one tariff.

(Corporate Name of Concurring Carrier)

Address

Date

CTC CC P—

Board of Transport Commissioners for Canada,
Ottawa, Ont.

This is to certify that the (*name of concurring carrier*) assents, to, and concurs in, the publication and filing of (*name of carrier, agent, corporation or association issuing tariff*) joint Tariff CTC in which this company is named as a participant insofar as that tariff contains fares, charges or regulations applicable to or via (not from) this company's points, and hereby makes itself a party thereto and bound thereby.

This certificate expires with the cancellation or expiration of the tariff to which it applies.

Name

Title

Duplicate mailed to:

(2) **Preparation and numbering of concurrences.** Concurrences shall be prepared on paper approximately 8x10 inches in size, and shall be consecutively numbered by the issuing carrier in a separate series for each type of concurrence.

(3) **Filing of general and limited concurrences.** General and limited concurrences shall be forwarded to the Board for filing addressed to "Director, Traffic Department, Board of Transport Commissioners for Canada, Ottawa, Ont.", and a duplicate thereof mailed to the carrier, agent, corporation or association in whose favour it is executed. If an acknowledgment is required from the Board an additional copy shall be submitted for that purpose which will be stamped with date of receipt and returned to the issuing carrier.

(4) **Filing of specific concurrence.** Specific concurrences may be forwarded to the Director, Traffic Department of the Board, or may be sent to the carrier, agent, corporation or association issuing the tariff, who in turn will file it with the Board concurrently with the filing of the tariff concurred in.

(5) **Concurrences not required in international tariffs.** Concurrences are not required in international tariffs; tariffs applying from a foreign country through Canada to a foreign country; or from foreign carriers in tariffs applying from Canada through a foreign country into Canada.

(6) **Revocation of concurrences.** Concurrences may be cancelled by notice of revocation. Such notice of revocation shall be forwarded to reach the

Board at least 60 days before coming into force, and a copy thereof concurrently served upon the carrier, agent, corporation or association concerned. Notice of revocation shall be in the following form.

(Corporate Name of Carrier)

Address

Date

Revocation of: { CTC GC P—
 { CTC LC P—
 { CTC CC P—

Board of Transport Commissioners for Canada,
Ottawa, Ont.

Effective, concurrence noted above issued by
(name of carrier, issuing concurrence) in favour of (name
of carrier, agent, corporation or association) is hereby cancelled
and revoked.

Reasons:
.....
.....

Name

Title

Duplicate mailed to:

(7) **Revision of tariffs when authority revoked.** When a concurrence is revoked corresponding revision of the tariff or tariffs must be made not later than the effective date stated in the notice of revocation. If the tariff or tariffs are not so amended the fares or other provisions therein remain effective and must be protected by the carrier or carriers responsible for their continued publication.

(8) **Specific concurrence required if tariff to remain in effect after revocation.** If it is desired to continue in effect any tariff issued under a general or limited concurrence to be revoked, a specific concurrence therefor shall be filed with the Board by the concurring carrier prior to the effective date of the revocation.

RULE 12—SUBSIDIARY LINES

(1) **Subsidiary lines included in parent company's tariffs.** Companies owning or controlling separately operated subsidiary lines may include the subsidiary lines' tariff matter, other than standard tariffs, in the parent company's tariffs.

(2) **Power of attorney required.** Each such subsidiary line shall execute power of attorney appointing the parent company its agent and attorney on the form prescribed in Rule 10 (3).

(3) **Modification of power of attorney.** The said power of attorney shall be modified to also authorize the parent company to give and receive concurrences on behalf of the subsidiary line and may include an authorization to the parent company to execute powers of attorney on behalf of the subsidiary line.

(4) **Parent company to show acting for subsidiary.** Parent companies executing powers of attorney and concurrences on behalf of themselves and their subsidiaries shall modify the wording of such documents to the extent necessary to show they are issued 'for itself and as agent and attorney for' the subsidiary lines.

(5) **Joint rates between parent company and subsidiary.** Concurrences are not required from subsidiary lines in joint rates applicable between the subsidiary and its parent company when such tariffs are issued, under the provisions of this rule, by the parent company.

RULE 13—ADOPTION NOTICES

(1) **Filing and form of adoption notice.** When the name of a carrier is changed, or when its operating control is transferred to another company, the carrier which will thereafter operate the properties shall file and post as a tariff an adoption notice, numbered in its CTC series, reading as follows:

The(*corporate name of adopting carrier*).... hereby adopts, ratifies and makes its own in every respect as if the same had been originally filed and posted by it, all passenger tariffs, rules, notices, concurrences, traffic agreements, divisions, authorities, powers of attorney or other instruments whatsoever, including supplements or amendments thereto, filed with the Board of Transport Commissioners for Canada by, or heretofore adopted by, the(*corporate name of old carrier*).... prior to (*date*)....

(2) **Amendment to tariffs showing adoption.** In addition to the above adoption notice, the new carrier shall immediately file a consecutively numbered supplement to each of the tariffs of the former carrier publishing the following notice:

Effective(*date shown in adoption notice*)...., this tariff became the tariff of the(*corporate name of new carrier*).... as per its Adoption Notice CTC....

Such supplements shall contain no other matter and may be filed without regard to Rule 5 (2).

(3) **Subsequent amendments.** Succeeding supplements to adopted tariffs shall be numbered consecutively in the series of the carrier that issued the original tariff. Successive issues of the adopted tariffs shall specifically cancel the former tariff by CTC number and name of carrier, but shall be numbered in the CTC series of the new carrier.

(4) **Former carrier to be eliminated from tariffs.** Tariffs issued by other carriers, agents, corporation or association under power of attorney, in which

the former carrier is named as a participating carrier, shall be amended to substitute the name of the adopting carrier by the following provision:

The(*corporate name of adopting carrier*).... by its Adoption Notice CTC..... having taken over tariffs, etc., of the(*corporate name of old carrier*).... the(*corporate name of adopting carrier*).... is hereby substituted for the(*corporate name of old carrier*).... wherever it appears in this tariff.

(5) **New Powers of attorney and concurrences to be filed.** Powers of attorney and concurrences adopted by the new carrier must be replaced within one hundred and twenty (120) days by new powers of attorney and concurrences of the adopting carrier, upon which documents reference must appear as to the cancellation of the documents of the old carrier.

RULE 14—STANDARD TARIFFS

(1) **Submission for approval.** Standard tariffs shall specify the maximum mileage toll to be charged for passengers for all distances covered by the carrier. Such tariffs shall be submitted by each company, in triplicate, for approval by the Board without the effective date appearing thereon.

(2) **Publication in *Canada Gazette*.** Upon approval by the Board standard tariffs shall be published in accordance with the terms of the Board's Order.

(3) **Filing of approved tariffs.** After publication in the *Canada Gazette* the tariff may be filed at least three days before the effective date thereof with a reference appearing thereon reading:

Approved by Orderdated....., of the Board of Transport Commissioners for Canada.

RULE 15—SPECIAL TARIFFS

(1) **Special Passenger Tariffs.** Special passenger tariffs shall contain the fares, (other than the standard maximum mileage toll), charges, rules, regulations or other arrangements for the transportation of and accommodation for all passenger traffic.

(2) **Statutory notice.** Such tariffs shall be filed with the Board and posted for public inspection at least three days before the effective date thereof.

RULE 16—JOINT TARIFFS

(1) **Applying between points in Canada.** Joint tariffs applying over any continuous route in Canada operated by two or more carriers shall be filed by the initial carrier in the same manner as local tariffs.

(2) **Applying over foreign railway companies.** Joint tariffs applying over any continuous route from a point in Canada through a foreign country into Canada; or from any point in Canada to a foreign country; or from any point in a foreign country into Canada, and such route is operated by two or more carriers, whether Canadian or foreign, shall be filed by the initial carrier or duly authorized agent, corporation, association or carrier.

(3) **Joint tariffs not required on overhead traffic.** Joint tariffs of foreign railway companies applying from any point in a foreign country through Canada into a foreign country are not required to be filed with the Board.

(4) **Routing to be shown.** Joint tariffs shall show the routes over which the fares or charges published therein apply, stated in such manner that the routes may be definitely ascertained.

(5) **Routing in tariff or routing guide.** Routing may be published in the tariff containing the fares or charges or may be published in a separate tariff provided reference is made to such separate tariff. The routing tariff shall be filed with the Board by the issuing carrier or duly authorized agent, corporation, association or carrier.

(6) **Restrictive use of routing tariffs.** The routing tariff shall show on the title page the following notation:

The routes provided herein may be used only in connection with fares made subject hereto by specific reference to this tariff in tariffs containing such fares. Its use in connection with any tariff is restricted to the carriers and to the application provided in such tariff.

RULE 17—EXCURSION TARIFFS

(1) **Tariffs may be filed on one day's notice.** Special passenger tariffs containing fares for excursions, conventions or other special passenger traffic which are limited to a designated period not exceeding six months and which are required to be brought into prompt effect may be filed with the Board and posted at selling stations at least one day before the effective date thereof. Such tariffs shall contain a notation on the title page reading:

Issued on one day's notice under authority of Rule 17 of Tariff Circular 2 of the Board of Transport Commissioners for Canada.

(2) **Designated period defined.** The term "designated period" used in paragraph (1) means the period beginning with the first day on which the transportation can first be used and ending with, and including, the day upon which the return trip must be completed.

(3) **Separate filing series.** Such special passenger tariffs shall be filed with the Board under a separate numerical series with the prefix "CTC-X" and each issuing carrier, agent, corporation or association shall number the tariffs in its own CTC-X series.

RULE 18—CIRCUS AND SHOW OUTFITS

(1) **Tariffs may be filed on one day's notice.** Special tariffs containing rates for movements of circuses and other show outfits may be established on not less than one day's notice to the Board, and such tariffs need not be posted at stations. The tariffs shall consist of a title page with notation "as per copy of contract attached", and to it shall be attached a copy of the contract under which the circus or show is transported.

(2) **Tariff notation.** The tariffs shall also contain a notation on the title page reading:

Issued on one day's notice under authority of Rule 18 of Tariff Circular 2 of the Board of Transport Commissioners for Canada.

RULE 19—WORKMEN'S TRAIN SERVICE

(1) **Tariffs may be filed on one day's notice.** Special tariffs containing charges for special workmen's train service may be established on not less than one day's notice to the Board, and such tariffs need not be posted at stations. The tariffs shall consist of a title page with notation "as per copy of agreement attached", and to it shall be attached a copy of the agreement under which the service is performed.

(2) **Tariff notation.** The tariffs shall also contain a notation on the title page reading:

Issued on one day's notice under authority of Rule 19 of Tariff Circular 2 of the Board of Transport Commissioners for Canada.

RULE 20—NEWLY CONSTRUCTED RAIL LINES

(1) **Tariffs may be filed on one day's notice.** Tariffs containing fares, charges or regulations applicable from and to points on newly constructed lines of railway, including extensions of existing railways, may be initially filed with the Board and posted at stations on not less than one day's notice.

(2) **Tariff notation.** The tariffs shall contain a notation on the title page reading:

Issued on one day's notice under authority of Rule 20 of Tariff Circular 2 of the Board of Transport Commissioners for Canada.

RULE 21—RULES AND REGULATIONS

(1) **Rules and regulations in separate tariff.** A separate tariff may be filed containing rules and regulations which are to govern certain tariffs within a recognized fare territory. Such rules and regulations shall be made part of the fare tariff by reference in substantially the following form:

Governed, except as otherwise provided herein, by rules and regulations published in Special Passenger Tariff..... CTC

RULE 22—DISCONTINUANCE AND RESTORATION OF SERVICE

(1) **Announcement of service.** Tariffs containing fares applying in connection with any carrier whose service is discontinued for a portion of each year shall provide for discontinuance and restoration of service over such carrier or carriers from and to the affected points by stating that the fares provided therein are valid for passage only during the period when service over those carriers is available.

(2) **Definite dates of service.** When specific dates of discontinuance and restoration of service can be predetermined, a rule shall be published in the tariff announcing the dates of such discontinuance and restoration of service.

(3) **Indefinite dates of service.** When specific dates of discontinuance and restoration of service cannot be determined a rule shall be published in the tariffs stating that supplements to the tariff announcing the dates of discontinuance and restoration of service will be filed with the Board and posted for public inspection not less than one day prior to the date service will be restored or discontinued.

(4) **Supplements.** Supplements announcing the restoration and discontinuance of service under this rule may be filed on not less than one day's notice, and may be filed without regard to Rule 5(2).

RULE 23—OFFICIAL DISTANCE TABLE

(1) **Official distance table to be filed.** Each carrier shall publish and file, in duplicate, an 'Official Distance Table' which shall show the mileage between its stations. A fraction of a mile shall be considered as a whole mile.

(2) **Tariffs to be governed by Official Distance Table.** Tariffs containing mileage fares shall give reference to the Official Distance Table.

(3) **Passenger and freight distances in same issue.** The Official Distance Table may be used for both passenger and freight service, in which case copies thereof shall be filed with the Board in both the carrier's freight and passenger tariff series.

RULE 24—TARIFF INDEX

(1) **Index of tariffs to be filed.** Except as provided in paragraph (5) each carrier shall publish and file in duplicate, a complete index of all effective tariffs filed with the Board to which it is a party as an initial carrier.

(2) **Arrangement by sections.** Such index shall be divided into two sections; first, a list of all tariffs in which the carrier is an initial carrier and second, a numerical list of its own tariffs by CTC number.

(3) **Arrangement by contents.** The index shall show: (a) the CTC number of each tariff, including both its own issues and those issued by others under power of attorney; (b) name or initials of issuing carrier, agent, corporation or association; (c) a brief description of the traffic upon which it applies; (d) points or territory from and to which the tariff applies.

(4) **Index to be issued biennially.** The index shall be reissued at least every two years, and amendments to the index by supplement at least every three months. Not more than five supplements shall be in effect at one time. Rule 5(2) shall not apply. The title page shall bear date of issue but no effective date.

(5) **Exclusion of supplements and temporary tariffs.** Tariffs covering specific passenger movements remaining in effect for a period of thirty days or less may be omitted.

(6) **Subsidiary lines may be included in parent company's index.** Parent companies may include tariffs of their subsidiary lines in the parent company's index, provided the application of the tariffs as to each line is plainly indicated.

(7) **List of agency tariffs.** Agents, corporations or associations filing tariffs on behalf of carriers are required to file a list of their tariffs in which all tariffs issued by the agent, corporation or association are shown by CTC reference, with a brief description of the character and applicable territory of each tariff. Such a list may be filed as a tariff or may be given a list number

for identification purposes. Such list should be reissued at least every two years and amended by supplement at least every three months when changes occur.

(8) **Freight and passenger tariffs in one index.** Indices of freight and passenger tariffs may be combined in one publication. The combined index shall be divided into two separate parts, and the CTC reference in both freight and passenger series shall be shown thereon and such index filed with the Board in both series.

RULE 25—REFERENCE MARKS

(1) **Uniform reference marks.** Changes in fares, charges or wording of tariffs shall be indicated by the use of the following reference marks, which shall be used for no other purpose.

↓ or R	to denote reduction.
◆ or A	to denote advance.
▲ or C	to denote change in wording which results in neither increase nor reduction in fares (or charges).
• or N	to denote no change in fare (or charge).
* or b	to denote basing fare (or charge).
□ or ()	to denote reissued matter with the supplement number from which reissued inserted therein.

Reference marks shall be placed in such position as will attach as directly as possible the actual change in fare, charge or text.

(2) **General changes.** When a change of the same character is made in all, or substantially all fares or charges in a tariff, or a page thereof, the nature of such change shall be indicated at the top of the title page of such tariff, or at the top of each page affected, by the notation, "Fares (or charges) in this tariff (or page) are reductions (or increases), except as indicated", and the changes not consistent with this notation will be appropriately indicated.

RULE 26—REFERENCE TO ORDERS AND JUDGMENTS

(1) **Reference to Board's orders or judgments to appear in tariffs.** Tariffs issued pursuant to judgments or orders of the Board shall give reference to the number and date of the order or date of the judgment as follows:

Issued in compliance with Order, dated,
of the Board of Transport Commissioners for Canada.

or

Issued under Judgment dated, of the Board of Transport Commissioners for Canada.

(2) **Reference to appear only in the initial publication.** Such references need only be shown in the initial publication of the new or changed matter and references eliminated as same is brought forward as reissued matter.

RULE 27—CANCELLATION OF TARIFFS

(1) **Cancellation by supplement or another tariff.** A tariff may be cancelled by a supplement thereto or by another tariff. Cancellation of a tariff also cancels all supplements in effect at that time. Cancellation of a tariff by a supplement to another tariff is not permitted.

(2) **Cancellation notice.** When a tariff is cancelled by another tariff which does not contain all of the tolls shown in the tariff to be cancelled, the cancelling tariff must show where tolls not shown therein will thereafter be found or what tolls will thereafter apply.

(3) **Reinstatement only by publication.** When a tariff or any portion thereof has been cancelled it cannot be reinstated other than by republication in the regular manner.

(4) **Cancellation by another tariff.** When a tariff is cancelled by another tariff, the tariff effecting the cancellation shall be in the same CTC series, except if a carrier's tariff is to be displaced by an agency tariff, the agency tariff shall either cancel or indicate that it supersedes the carrier's tariff. In the latter case the carrier's tariff shall be cancelled by a supplement thereto and show reference to the agency tariff.

(5) **Cancellation by two or more tariffs.** When a tariff is superseded by two or more tariffs, the cancellation shall be accomplished by supplement to the tariff to be cancelled. Such supplements shall show reference to the tariffs in which such matter will thereafter be found. The new tariffs shall show reference to the cancelled tariff by a notation reading: 'Supersedes Tariff, CTC, to the extent shown in Supplement thereto.'

(6) **Transfer from one tariff to another.** When tariff matter is transferred from one tariff to another, the transfer shall be accomplished by specific cancellation by amendment to or reissue of the tariff in which the tariff matter is in force showing reference to the tariff in which it will be published in the future. The tariff containing the matter so transferred shall correspondingly show reference to the tariff in which it was formerly published.

(7) **Partial cancellation.** When a tariff partially supersedes another tariff in force at the time, it shall specifically state the portions of such other tariff which are thereby superseded and the conflicting portions of the former tariff shall be correspondingly amended.

RULE 28—SUSPENSION OF TARIFFS

(1) **Suspended matter to be restored.** When provisions of a tariff are suspended by order of the Board, the issuing carrier, agent, corporation or association, shall immediately file appropriate amendment restoring the provisions which were to be cancelled by the suspended tariff.

(2) **Restoring suspended matter.** When the Board vacates an order of suspension, an appropriate tariff amendment putting into effect the suspended provisions and terminating the restored provisions may be filed on one day's notice, but not earlier than the effective date originally proposed.

(3) **Cancellation of suspended matter.** When the Board orders the cancellation of the suspended provisions of a tariff, the suspended matter therein shall be cancelled by filing an appropriate tariff amendment on one day's notice.

(4) **When Interstate Commerce Commission orders.** When the Interstate Commerce Commission suspends, vacates the suspension of, or orders the

cancellation of, suspended matter in a tariff applicable between United States and Canadian points, the provisions of this rule may be applied thereto.

(5) **Supplements.** Supplements to effect the foregoing may be filed without regard to Rule 5 (2).

RULE 29—REJECTION OF TARIFFS

(1) **Board may reject tariffs.** Tariffs which fail to meet the requirements of these rules may be rejected and returned to the sender.

(2) **Rejected tariffs void.** The CTC tariff number, revised page number or supplement number of a rejected schedule shall not again be used.

(3) **Substitution of rejected tariffs.** Tariffs issued in lieu of rejected tariffs shall show on the title page notation; "In lieu of, rejected by Board."

(4) **Rejection by Interstate Commerce Commission.** Where tariffs, filed with both the Interstate Commerce Commission and this Board, are rejected by the Interstate Commerce Commission, the issuing carrier, agent, corporation or association, shall immediately notify the Director, Traffic Department of the Board, of such rejection. Such tariffs will also be marked rejected by this Board and returned to the sender.

RULE 30—DEPARTURE FROM RULES

(1) **Departure only by authority.** No departure from the provisions of these regulations is permitted except under specific authority of the Board.

(2) **Application for relief.** If it is desired to depart from the provisions of these regulations, an application in substantially the following form may be made to the Director, Traffic Department of the Board:

(Name of Carrier or Agent)

Address

Date

Director,
Traffic Department,
Board of Transport Commissioners for Canada,
Ottawa, Ont.

Authority is hereby requested to depart from the requirements of Rule of Tariff Circular 2 when taking tariff action as follows:

(Describe in detail (by accompanying exhibit if desired) the proposed change or addition to be made in the tariff; the CTC reference; and the exact nature of the relief desired)

The following facts are submitted in justification of this application:

(State fully the circumstances relied upon as justifying the application)

Name

Title

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